



QUEENS COUNTY DISTRICT ATTORNEY
125-01 QUEENS BOULEVARD
KEW GARDENS, NEW YORK 11415-1568



MELINDA KATZ
DISTRICT ATTORNEY

718.286.6000
WWW.QUEENSDA.ORG

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CONTACT: PRESS OFFICE (718) 286-6315
QDACommunications@queensda.org

QUEENS MAN PLEADS GUILTY TO ASSAULTING POLICE OFFICER
WHO WAS STRUCK IN EYE WITH CROWBAR

*Defendant Was Trying to Flee and Swung at Officer in Pursuit With Crowbar;
Defendant faces 12 years in prison at sentencing; Co-defendant also charged*

Queens District Attorney Melinda Katz today announced that Andres Tabares, 40, has pleaded guilty to assault in the first degree for striking a police officer with a crowbar causing severe physical injuries. Police officers were pursuing two defendants who were attempting to burglarize a home on April 16, 2019, in Kew Gardens, Queens when the assault took place. Co-defendant Marlon Morales Moreira, 32, was also charged in connection with the incident.

District Attorney Katz said, “In pleading guilty, the defendant has taken responsibility for causing severe injuries to a police officer, who was responding to a report of an attempted burglary. The defendant now faces a prison term as punishment for his criminal actions.”

Tabares, of 89th Street, Howard Beach, Queens pleaded guilty on Monday to assault in the first degree before Queens Supreme Court Justice Daniel Lewis. Justice Lewis indicated that he would sentence the defendant to 12 years in prison to be followed by 5 years post-release supervision on October 7, 2022. Defendant Morales Moreira, of 75th Street, of Woodhaven, Queens, has also been charged and is awaiting his next court date on September 21, 2022.

According to the charges, at approximately 9:40 p.m., on Tuesday, April 16, 2019, a 911 call was made from a man stating that he heard someone at his back door trying to break into his home. Police officers responded to the 59th Avenue address and spotted defendant Tabares along with defendant Morales Moreira. Both defendants immediately fled the scene in different directions and police officers gave chase. Police Officer Anthony Spinella pursued defendant Tabares on foot. As Officer Spinella caught up to Tabares he grabbed his shirt at which time defendant Tabares swung his arm around and hit Officer Spinella in the face with the crowbar he was holding.

District Attorney Katz said, as a result of the incident the victim sustained serious physical injury to his left eye leaving him unable to perform his duties as a police officer. At the time of the defendants’ arrest, he stated in sum and substance that “it was a mistake” and that he was just “trying to get away.” Defendant Morales Moreira was apprehended without incident.

Assistant District Attorney Gabriel Reale, of the District Attorney’s Career Criminal Major Crimes Bureau is prosecuting the case under the supervision of Assistant District Attorneys Shawn Clark, Bureau Chief and Michael Whitney, Deputy Bureau Chief, and under the overall supervision of Executive Assistant District Attorney of the Major Crimes Division Daniel A. Saunders.

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